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RIGHTS OF THE CHILD

Written statement submitted by the Baha'i International Community, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[13 February 1998]

Sexual abuse of children within the family

1. The Baha'i International Community welcomes the adoption by the Commission of resolution 1997/78, addressing a wide range of situations affecting children all over the world. The resolution, like the Vienna Declaration and Programme of Action, calls for strengthening, at national and international levels, mechanisms and programmes designed to combat the exploitation and abuse of children. In August 1996 the World Congress against Commercial Sexual Exploitation of Children (hereafter, the World Congress) focused global attention on one of the most despicable forms of child abuse, sexual exploitation.

2. For the purposes of this statement, we would like to focus our attention on the sexual abuse of children within the family, which the Working Group on Contemporary Forms of Slavery (hereafter, the Working Group) has described as "a most morally repugnant form of slavery" (E/CN.4/Sub.2/1997/13, Recommendation No. 13). The sexual abuse of children inside the family ravages all regions of the world, all economic and educational strata, and all types of families. It destroys respect both for oneself and for others. When the abuse occurs within the family, where the child's basic self-concept is formed, the damage is particularly devastating. It inhibits the child's recognition of his or her fundamental nobility and clouds the child's perception of what leads to advancement or degradation. Sexual abuse at the hands of family members predisposes one to a life not only as a victim but often as a perpetrator of abuse as well. It destroys the very foundation of society - the family - and limits the person's ability to contribute to the well-being of society. Thus sexual abuse within the family has significant consequences both for the individuals involved and for society.

3. Establishing penalties appropriate to the crime and implementing those punishments would be an important step toward deterring potential abusers. Such actions would also communicate unambiguously the government's intention to ensure children the right to be safe in their own homes. We, therefore, concur with the recommendation of the Working Group that governments "take adequate steps to severely punish the perpetrators of this most heinous offence" (E/CN.4/Sub.2/1997/13, Recommendation No. 13, para. 3). At the same time, we believe that the ultimate solution to this problem lies not so much in penalties and punishments as in prevention. In our view, it is through appropriate education and through strengthening the integrity of the family that we can, in the long term, most effectively reduce the number of both victims and perpetrators.

4. The importance of both education and healthy families to the protection of children is reflected in numerous United Nations reports and studies on this issue. In its Declaration, the World Congress lists among the factors that contribute to the sexual exploitation of children both "dysfunctioning families, [and] lack of education" (paragraph 6). The report of the Special Rapporteur on the sale of children, child prostitution and child pornography notes that "The vulnerability of children primarily lies in ... circumstances, such as belonging to marginalized and/or dysfunctional families" (E/CN.4/1997/95, para. 12). The Programme of Action adopted by the Commission on Human Rights in 1992, 1/ allocates one section to the issue of education, and the World Congress Agenda for Action adopted in 1996

(Chapter 3, Prevention, paragraphs (a)-(f)) focuses on education as an important preventive measure. Furthermore, the Working Group recommends that bodies charged with monitoring compliance with United Nations human rights treaties pay special attention to articles related to these two areas when examining the States parties' reports. 2/

5. Studies show that sexual abuse transcends all educational strata, suggesting that scholastic education alone is insufficient to deter abuse. It is important, therefore, to determine what sort of education might prevent the sexual abuse of children. The Convention on the Rights of the Child states that a child's education, which occurs both at school and in the home, should contribute to the "development of the child's personality [and] talents ... to their fullest potential" (article 29, 1 (a)). According to the Programme of Action adopted by the Commission on Human Rights in 1992, education should inculcate "... values such as self-esteem" (Annex, paragraph 21 (b)). We believe that, to be effective, education must enable the inculcation of knowledge not only to ensure the acquisition of facts, skills and the ability to reason, but also to foster appreciation of the spiritual character of humanity with all its implications for the moral well-being of society. In the view of the Baha'i International Community, therefore, education should seek to discover and develop every child's particular talents and should also cultivate in the child the desire and capacity to be a responsible and caring member of the family and the society at large.

6. Along with knowledge and skills, all forms of education also transmit values and beliefs, whether consciously or unconsciously. The current educational systems and curricula should be examined for the underlying values they convey and should be redesigned to teach such principles as trustworthiness, honesty, solidarity, cooperation, the oneness of humanity, and equal rights for women and men. This latter principle, we believe, has profound implications for domestic and social life and, if accepted by all members of the family, would be a powerful deterrent to sexual abuse within the family.

7. As we consider the changes that must occur within formal education, it is important to remember that education occurs within the family as well. Attitudes and behaviours learned within the family are replicated in the wider society; they are carried from the home to the workplace, and into the political realm. Great consideration should, therefore, be given to devising ways of disseminating information, by the most effective methods and means, about those patterns of behaviour within the family that conduce to a disfunctionality which severely affects the welfare of members of the family, especially the children.

8. An important tool for creating and sustaining the viability of the family is consultation, involving all family members - mother, father and children, as well as other members of the household. Indeed, consultation is an ideal vehicle for seeking the views of the child in all matters concerning him/her, as stipulated in the Convention on the Rights of the Child. Family consultation employing full and frank discussion, and animated by awareness of the need for moderation and balance, is advocated in the Baha'i Writings as the panacea for domestic conflict. 3/ So valuable is consultation for group problem solving and for establishing new modes of interaction based on

equality and mutual respect that the development of the skills and abilities required for effective consultation should be a part of every child's education.

9. Finally, public education campaigns are needed to proclaim the right of children to be safe in their own homes and to encourage both abusers and victims to seek help. Broad-based discussion of this problem, its causes, its consequences and its remedies, would help lift the veil of secrecy and shame that surrounds the topic of sexual abuse within the family, preventing many individuals from seeking assistance. We, therefore, urge that all means, including the media, be used to raise public awareness about the need to end the sexual abuse of children, particularly within the family.

Notes

1/ Commission resolution 1992/74, Annex, paragraphs 18-23 which recommend educational goals such as "special emphasis on girls" and "educational efforts ... be based on universal ethical principles including the recognition of the integrity of the family".

2/ E/CN.4/Sub.2/1997/13, Recommendation No. 13, paragraph 7, mentions article 13, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, which stipulates that "education shall be directed to the full development of the human personality and the sense of its dignity".

3/ Universal House of Justice, quoted in Baha'i Marriage and Family Life: Selections from the Writings of the Baha'i Faith, p. 36.